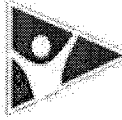




Center on Juvenile  
and Criminal Justice

ALLIANCE FOR  
**Boys and Men of Color**  
Invest in the Health and Success  
of California's Future



**PICO** California  
Unlocking the Power of People™

Communities  
United for  
Restorative

**CURYJ**  
YOUTH JUSTICE



**American Friends  
Service Committee**

**We are  
the Drug  
Policy  
Alliance.**

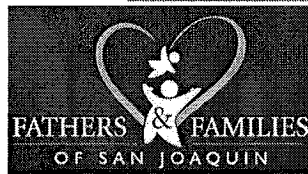


THE  
LOS  
ANGELES  
REGIONAL  
REENTRY  
PARTNERSHIP

**CAADPE**  
ASSOCIATION OF ALCONIC AND MEND PROGRAM EXECUTIVES, INC.



**PolicyLink**



June 5, 2015

Board of State and Community Corrections  
2590 Venture Oaks Way  
Sacramento, CA 95833

Re: RFP for Adult Local Criminal Justice Facilities Construction Grants (SB 863)

Dear Board members,

On June 10, 2015, the BSCC will be asked to approve the Request for Proposals (RFP), which has been drafted by your staff and approved by the SB 863 Executive Steering Committee (ESC), in connection with the awarding of \$500,000,000 in state financing to counties for the construction of local adult criminal justice facilities. As the document that describes the types of facilities that are eligible for funding, as well as detailing the other requirements to be met by counties seeking this funding, the RFP is critical in the determination of what the next generation of local criminal justice facilities and practices will be. We write to provide our input as researchers, advocates and community members affected by the outcome of your work.

We are deeply dissatisfied with the process followed by the ESC in preparing to recommend awards of this potentially transformative public financing. The opportunities for public review of draft documents and for input into the drafting of the RFP have been extremely limited for a public works project of this scope and importance. We hope that when you review this proposed RFP you will carefully consider our concerns and exercise your independent judgement in considering the adequacy of the RFP.

### **What Types of Facilities are Eligible?**

One of the primary issues for the RFP to address is, what types of facilities are eligible and, of those, which will be given the strongest consideration for funding. SB 863, the Legislation which made this

public financing available, clearly states the Legislature's intent that these funds be spent only on facilities that emphasize programming and treatment:

The county adult criminal justice system needs improved housing with an emphasis on expanding program and treatment space to manage the adult offender population under its jurisdiction.

Improved county adult criminal justice housing with an emphasis on expanding program and treatment space will enhance public safety throughout the state by providing increased access to appropriate programs or treatment.

By improving county adult criminal justice housing with an emphasis on expanding program and treatment space, this financing will serve a critical state purpose by promoting public safety.

(Government Code section 15820.933, subdivisions (c) through (e).)

These statements of intent from the Legislature make clear that addressing programming and treatment needs are requirements for funding under this legislation, not options.

The Legislature's direction on this issue was explicit:

Funding consideration shall be given to counties that are seeking to replace compacted, outdated, or unsafe housing capacity or are seeking to renovate existing or build new facilities **that provide adequate space for the provision of treatment and rehabilitation services, including mental health treatment.**

(Government Code section 15820.936, subdivision (c).)

We share the concern expressed by the ACLU that the draft language of the RFP appears to treat the requirement for an emphasis on programming and treatment space as somehow not applicable when a county states that it is seeking to replace outdated, compacted or unsafe facilities. Every county that applies for this financing will be seeking to replace outdated, compacted or unsafe facilities either by renovating old facilities or building new ones. To allow this exception would be to eliminate the requirement of emphasizing program and treatment space, in defiance of the language of SB 863.

### **SB 863 Requires Operations Cost Projections**

SB 863 also requires from counties applying for these funds:

Submission of a staffing plan for the adult local criminal justice facility, including operational cost projections and documentation that the adult local criminal justice facility will be able to be safely staffed and operated within 90 days of completion, as may be applicable.

(Government Code section 15820.935, subdivision (c)(4).)

Therefore, the RFP should make clear that counties must document in their submittals both that the facilities they propose to build provide adequate programming and treatment space but also that they have viable plans for the staffing and operation of those program and treatment facilities. If, for example, a county were to state that it plans to build classroom space, that is not enough. It must also provide its plan to hire enough teachers to actually utilize those classrooms, **including cost projections** for doing so.

Despite the fact that the legislation requires it and the fact that the ESC voted for the RFP to include the requirement that counties provide cost projections for operations, including both custodial and programming staff, the RFP (under "Item 5. Budget Narrative") simply requires applicant counties to:

"Describe how the county will meet its match requirements and how operational costs (including programming costs) for the facility will be sustained."

While these are important questions to ask, it is equally important, and mandated by the law, to require counties to state projections for these ongoing operational costs. We strongly urge you to amend the RFP to include this requirement.

We, the undersigned individuals and organizations, look forward to working with you to ensure that local adult criminal justice facilities reflect the will of the people, as expressed by their Legislature in SB 863, by emphasizing education, job skills and other programming, as well as critically needed health care treatment, including mental health care. Assuring that said public financing maintains this emphasis "will serve a critical state purpose by promoting public safety."

Respectfully,

Judith Bell, President, PolicyLink

Crystal Clarke, All of Us or None - Riverside

Peggy Edwards, Executive Director, Los Angeles Regional Reentry Partnership

George Galvis, Executive Director, Communities United for Restorative Youth Justice

Brian Goldstein, Director of Policy and Development, Center on Juvenile and Criminal Justice

Juan Gomez, Program Manager and Senior Adviser, Motivating Individual Leadership for Public Advancement

Alex Johnson, Executive Director, Children's Defense Fund - California

Adam Kruggel, Director of Organizing, PICO - California

Lynne Lyman, State Director, Drug Policy Alliance

Laura Magnani, Program Director, Healing Justice, American Friends Service Committee

Steven Meinrath, American Civil Liberties Union of California

Samuel Nunez, Founder and Executive Director, Fathers and Families of San Joaquin

Marc Philpart, Executive Director, Alliance for Boys and Men of Color

Vonya Quarles, Executive Director, Starting Over, Inc.

Albert Senella, President, California Association of Alcohol and Drug Programs Executives, Inc.

Jesse Stout, Policy Director, Legal Services for Prisoners with Children